

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RESPONSE TO ELECTION/RESTRICTION
DATED 06/18/03**Atty. Docket No.
UBAT1190ARECEIVED
GROUP 1700
JUL 08 2003
1771Applicant:
David B. Geohegan et al.Application Number
09/997,600

Filed

November 28, 2001For
**Condensed Phase Conversion and Growth of
Nanorods and Other Materials**Group Art Unit
1771Examiner
Cole, Elizabeth M.Confirmation No. **5233**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Certification Under 37 C.F.R. § 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (Label No. EV155762733US) in an envelope addressed to: Assistant Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **July 3, 2003**.

The Examiner states that restriction is required under 35 U.S.C. § 121 to one of the following inventions:

Applicant elects to prosecute Group II, which includes claims 9-13 and 16-28, drawn to a method of making a composition comprising nanorods, classified in class 117,75 without traverse.

Applicant also submits herewith a copy of the original transmittal form for this divisional application, which indicates that Claims 1-8 and 14-15 (Group I of the Restriction Requirement) were to have been cancelled when this application was filed.

If any additional fees are required, please appropriately charge or credit those fees to Deposit Account No. 50-0456 of Gray Cary Ware & Freidenrich, LLP.

Respectfully submitted,

Gray Cary Ware & Freidenrich LLP

John J. Bruckner
Reg. No. 35,816

Dated: July 2, '03
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